

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ULTRAVISION TECHNOLOGIES, LLC

Plaintiff,

v.

LAMAR ADVERTISING COMPANY,
LAMAR MEDIA CORP., THE LAMAR
COMPANY, L.L.C., LAMAR TEXAS
LIMITED PARTNERSHIP, LIGHTING
TECHNOLOGIES, INC., AND IRVIN
INTERNATIONAL, INC.

Defendants.

Civil Action No. 2:16-cv-374-JRG-RSP

JURY TRIAL REQUESTED

LAMAR ADVERTISING COMPANY,
LAMAR MEDIA CORP., THE LAMAR
COMPANY, L.L.C., LAMAR TEXAS
LIMITED PARTNERSHIP, LIGHTING
TECHNOLOGIES, INC., AND IRVIN
INTERNATIONAL, INC.

Counterclaim Plaintiffs,

v.

ULTRAVISION TECHNOLOGIES, LLC

Counterclaim Defendant.

P.R. 4-3 JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Plaintiff Ultravision Technologies, LLC (“Ultravision”) and Defendants Lamar Advertising Company, Lamar Media Corp., the Lamar Company, L.L.C., Lamar Texas Limit Partnership, American Lighting Technologies, Inc. d/b/a Lighting Technologies, Inc., and Irvin International, Inc. (collectively, “Defendants”) respectfully submit the below Joint Claim Construction and Prehearing Statement in accordance with P.R. 4-3. The patents asserted in this case for which claim construction is required are U.S. Patent No. 8,870,410 (“the ’410 patent”), U.S. Patent No. 8,870,413 (“the ’413 patent”), U.S. Patent No. 9,212,803 (“the ’803 patent”), U.S. Patent No. 9,234,642 (“the ’642 patent”), and U.S. Patent No. 9,349,307 (“the ’307 patent”) (collectively, the “Asserted Patents”).

I. AGREED TERMS AND AGREED CONSTRUCTIONS

The parties’ agreed constructions are presented in **Appendix A**. The parties have agreed to the construction of three terms. Ultravision also agreed to drop one claim from one of the Asserted Patents.¹

II. DISPUTED TERMS

Following the meet and confer process pursuant to P.R. 4-2(c), the parties narrowed their disputes, but continue to dispute the construction of 6 terms. Each party’s proposed constructions and identified support for the disputed claim term are presented in **Appendix B**.

III. ANTICIPATED LENGTH OF TIME NECESSARY FOR THE CLAIM CONSTRUCTION HEARING

The parties anticipate needing no more than three hours for the Claim Construction Hearing, currently scheduled to begin on April 26, 2017 at 1:30 p.m.

¹ Claim 9 of the ’803 patent.

IV. ANTICIPATED WITNESSES TO BE PRESENTED AT THE CLAIM CONSTRUCTION HEARING

The parties do not expect to present live testimony of witnesses at the Claim Construction hearing. As noted in **Appendix B**, the parties may submit declarations from the inventors of the patents-in-suit (in support of Ultravision), and expert declarations from Dr. Zane Coleman (in support of Ultravision) and Dr. Julie Bentley and George Manyak (in support of Defendants).

V. OTHER ISSUES FOR PREHEARING CONFERENCE

As Defendants were finalizing their portion of the 4-3 submission, Ultravision filed for leave to amend its complaint. Ultravision's proposed amendment would add three patents and 77 claims to a case that already has 79 asserted claims. Defendants are in the process of reviewing these new patents and their file histories. Accordingly, Defendants reserve their right to amend their 4-3 statement and add additional terms for construction, and/or modify their proposed constructions on the basis of Ultravision's new allegations. Ultravision reserves its rights as well.

Respectfully submitted,

/s/ Samuel F. Baxter

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IRVIN INTERNATIONAL, INC.**

CERTIFICATE OF SERVICE

I certify that on the 27th day of January, 2017, I electronically filed the foregoing with the Clerk of the Court and the same has been served on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Samuel F. Baxter

Samuel F. Baxter

APPENDIX A**AGREED TERMS**

CLAIM TERM(S)	PARTIES' AGREED CONSTRUCTION	COURT'S CONSTRUCTION
<p>"means for emitting light" (governed by 35 U.S.C. § 112(6))</p> <p>'803: 1, 2</p>	<p><u>35 U.S.C. § 112(6)</u> <u>function:</u></p> <p>emitting light</p> <p><u>35 U.S.C. § 112(6)</u> <u>structure:</u></p> <p>LEDs 416 and 804 described in '803 at 4:39-44, 8:6-13; and equivalents thereof</p>	
<p>"means for mounting the plurality of means for emitting light" (governed by 35 U.S.C. § 112(6))</p> <p>'803: 1</p>	<p><u>35 U.S.C. § 112(6)</u> <u>function:</u></p> <p>mounting the plurality of means for emitting light</p> <p><u>35 U.S.C. § 112(6)</u> <u>structure:</u></p> <p>a printed circuit board (PCB) 204, 402 and 802 described in '803 at 3:26-29, 4:28-56, 8:6-8; and equivalents thereof</p>	
<p>"means for conducting heat" (governed by 35 U.S.C. § 112(6))</p>	<p><u>35 U.S.C. § 112(6)</u> <u>function:</u></p>	

APPENDIX A

CLAIM TERM(S)	PARTIES' AGREED CONSTRUCTION	COURT'S CONSTRUCTION
'803: 1	<p>conducting heat</p> <p><u>35 U.S.C. § 112(6)</u> <u>structure:</u></p> <p>a heat sink 322a-322N and 708 described in '803 at 4:11-27, 7:43-64, Figs. 3B, 7A-B; and equivalents thereof</p>	

APPENDIX B**DISPUTED TERMS²**

DISPUTED TERM(S)	ULTRAVISION'S PROPOSED CONSTRUCTION AND SUPPORT³	DEFENDANTS' PROPOSED CONSTRUCTION AND SUPPORT	COURT'S CONSTRUCTION
<p>"substantially uniform"</p> <p>'410: 10, 27</p>	<p>No construction necessary</p> <p>If Court deems construction necessary, "does not create hot spots or dead spots"</p> <p><u>Intrinsic Evidence</u></p> <p><i>See, e.g.</i>, '410 patent at Abstract, 1:18-29, 2:49-64, 5:4-6:52, claims 1-33</p> <p><u>Extrinsic Evidence</u></p> <p>Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2011)</p> <p>Plaintiff's P.R. 3-1 Infringement Contentions and the materials referenced therein</p> <p>LAMAR0005981</p> <p>OAAA LED Lighting Guidance for Outdoor Advertising Owners and Operators</p> <p>Potential testimony of Ultravision's expert,</p>	<p>Indefinite</p> <p><u>Intrinsic Evidence</u></p> <p>'410 Patent and File History:</p> <p><i>See, e.g.</i>, Amendment (June 5, 2014); '410 patent at claims 1-33, Abstract, 2:49-64, 5:9-21, 5:36-6:52.⁴</p> <p>'803 Patent and File History:</p> <p><i>See, e.g.</i>, Non-Final Rejection (July 16, 2015); Amendment (October 16, 2015); '803 patent at Abstract, claims 1-18.</p> <p>'642 Patent:</p> <p><i>See, e.g.</i>, '642 patent at title, claims 1-24.</p> <p>'307 Patent:</p> <p><i>See, e.g.</i>, '307 patent at claims 2, 3, 12-14, 21, 27.</p>	

² Per the parties' correspondence, the parties provide this chart to facilitate the meet and confer process. The parties' citations to the intrinsic record are preliminary. The parties reserve the right to further modify their citations.

³ The parties reserves the right to rely on any evidence identified by the opposing parties.

⁴ By citing to the specification of one of the patents-in-suit, the parties reserve the right to refer to the corresponding portions of the specifications of the remaining patents-in-suit and/or related patents and patent applications.

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DISPUTED TERM(S)	ULTRAVISION'S PROPOSED CONSTRUCTION AND SUPPORT³	DEFENDANTS' PROPOSED CONSTRUCTION AND SUPPORT	COURT'S CONSTRUCTION
	<p>Dr. Zane Coleman, and/or the inventors. Dr. Zane Coleman and/or the inventors may testify about their backgrounds, the background of the subject matter discussed in the patents-in-suit, and the skill level of one of ordinary skill in the art. They may also offer testimony in support of Ultravision's proposed claim constructions, and in response or in rebuttal to any arguments or expert testimony offered by Defendants.</p>	<p>US Patent Application No. 14/968,520 File History:</p> <p><i>See, e.g.</i>, Notice of Allowance (March 17, 2016).</p> <p>US Patent Application No. 15/216,562 File History:</p> <p><i>See, e.g.</i>, Non-Final Rejection (November 18, 2016).</p> <p>US Patent No. 9,514,663:</p> <p><i>See, e.g.</i>, '663 Patent at title, Abstract, claims 1-28.</p> <p>Cited References in the Asserted Patents:</p> <p><i>See, e.g.</i>, US Patent Application No. 2013/0291414 A1; US Patent Application No. 2011/0149548; US Patent No. 6,837,605; US Patent No. 6,582,103; US Patent Application No. 2008/0084693; US Patent No. 7,618,162 B1; US Patent Application No. 2011/0038151; US Patent No. 8,662,704; US Patent Application No. 2004/0004827 A1; US Patent Application No. 2014/0168998; US Patent Application No. 2014/0373348; US Patent No. 8,215,814;</p>	

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DISPUTED TERM(S)	ULTRAVISION'S PROPOSED CONSTRUCTION AND SUPPORT ³	DEFENDANTS' PROPOSED CONSTRUCTION AND SUPPORT	COURT'S CONSTRUCTION
		<p>US Patent No. 8,801,221.</p> <p><u>Extrinsic Evidence</u></p> <p>Potential testimony of Defendants' Experts, Dr. Julie Bentley and George Manyak. If asked to testify, Defendants' Experts would testify as to subject areas described above as they pertain to this claim term/phrase, including why one of ordinary skill in the art would not have understood the scope of this term with reasonable certainty.</p>	
<p>"minimal amount of illumination" / "minimum illumination"</p> <p>'413: 16</p> <p>'642: 21</p> <p>'307: 22, 28</p>	<p>No construction necessary</p> <p>If Court deems construction necessary, "avoids light pollution"</p> <p><u>Intrinsic Evidence</u></p> <p><i>See, e.g.,</i> '413 patent at 2:56-3:4, 5:11-6:59, claims of '413, '642, and '307 patents</p> <p><u>Extrinsic Evidence</u></p> <p>Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2011)</p> <p>Plaintiff's P.R. 3-1 Infringement Contentions and the materials referenced therein</p>	<p>Indefinite</p> <p><u>Intrinsic Evidence</u></p> <p>'413 Patent:</p> <p><i>See, e.g.,</i> '413 patent at 2:56-3:4, 5:11-28, 5:43-6:37.</p> <p>'642 Patent and File History:</p> <p><i>See, e.g.,</i> Interview Summary (November 2, 2015); Amendment (November 10, 2015); Supplemental Amendment (November 12, 2015); '642 patent at 2:63-3:11, 5:18-35, 5:50-6:67.</p>	

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	<p>LAMAR0005981</p> <p>OAAA LED Lighting Guidance for Outdoor Advertising Owners and Operators</p> <p>International Dark-Sky Association website (http://darksky.org/) (including http://darksky.org/wp-content/uploads/bsk-pdf-manager/16_MLO_FINAL_JUNE2011.PDF)</p> <p>LTI005047</p> <p>Potential testimony of Ultravision's expert, Dr. Zane Coleman, and/or the inventors. Dr. Zane Coleman and/or the inventors may testify about their backgrounds, the background of the subject matter discussed in the patents-in-suit, and the skill level of one of ordinary skill in the art. They may also offer testimony in support of Ultravision's proposed claim constructions, and in response or in rebuttal to any arguments or expert testimony offered by Defendants.</p>	<p>'307 Patent:</p> <p><i>See, e.g.,</i> '307 patent at 3:17-32, 5:41-58, 6:6-67.</p> <p>Cited References in the Asserted Patents:</p> <p><i>See, e.g.,</i> US Patent Application No. 2005/0018428 A1; US Patent No. 8,573,815; US Patent Application No. 2010/0014290; US Patent Application No. 2011/0219650.</p> <p><u>Extrinsic Evidence</u></p> <p>Potential testimony of Defendants' Experts, Dr. Julie Bentley and George Manyak. If asked to testify, Defendants' Experts would testify as to subject areas described above as they pertain to this claim term/phrase, including why one of ordinary skill in the art would not have understood the scope of this term with reasonable certainty.</p>	
<p>"substantially no illumination"</p> <p>'410: 12, 28</p>	<p>No construction necessary</p> <p><u>Intrinsic Evidence</u></p> <p><i>See, e.g.,</i> '413 patent at 2:56-3:4, 5:11-6:59,</p>	<p>Indefinite</p> <p><u>Intrinsic Evidence</u></p>	

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DISPUTED TERM(S)	ULTRAVISION'S PROPOSED CONSTRUCTION AND SUPPORT ³	DEFENDANTS' PROPOSED CONSTRUCTION AND SUPPORT	COURT'S CONSTRUCTION
'413: 2, 17	<p>claims of '410 and '413 patents</p> <p><u>Extrinsic Evidence</u></p> <p>Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2011)</p> <p>Plaintiff's P.R. 3-1 Infringement Contentions and the materials referenced therein</p> <p>LAMAR0005981</p> <p>OAAA LED Lighting Guidance for Outdoor Advertising Owners and Operators</p> <p>International Dark-Sky Association website (http://darksky.org/) (including http://darksky.org/wp-content/uploads/bsk-pdf-manager/16_MLO_FINAL_JUNE2011.PDF)</p> <p>LTI005047</p> <p>Potential testimony of Ultravision's expert, Dr. Zane Coleman, and/or the inventors. Dr. Zane Coleman and/or the inventors may testify about their backgrounds, the background of the subject matter discussed in the patents-in-suit, and the skill level of one of ordinary skill in the art. They may</p>	<p>'413 Patent:</p> <p><i>See, e.g.</i>, '413 patent at 2:56-3:4, 5:11-28, 5:43-6:37.</p> <p>'410 Patent:</p> <p><i>See, e.g.</i>, '410 patent at 2:49-64, 5:9-21, 5:36-6:52.</p> <p>'642 Patent and File History:</p> <p><i>See, e.g.</i>, Interview Summary (November 2, 2015); Amendment (November 10, 2015); Supplemental Amendment (November 12, 2015); '642 patent at 2:63-3:11, 5:18-35, 5:50-6:67.</p> <p>Cited References in the Asserted Patents:</p> <p><i>See, e.g.</i>, US Patent Application No. 2005/0018428 A1; US Patent No. 8,573,815; US Patent Application No. 2010/0014290; US Patent Application No. 2011/0219650.</p> <p><u>Extrinsic Evidence</u></p> <p>Potential testimony of Defendants' Experts, Dr. Julie Bentley and George Manyak. If asked to testify, Defendants' Experts would testify as to subject areas</p>	

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	also offer testimony in support of Ultravision's proposed claim constructions, and in response or in rebuttal to any arguments or expert testimony offered by Defendants.	described above as they pertain to this claim term/phrase, including why one of ordinary skill in the art would not have understood the scope of this term with reasonable certainty.	
<p>"uniformly illuminate"/"uniform illumination"</p> <p>'642: 13</p> <p>'307: 12, 13</p> <p>'803: 16</p>	<p>No construction necessary</p> <p>If Court deems construction necessary, "does not create hot spots or dead spots"</p> <p><u>Intrinsic Evidence</u></p> <p><i>See, e.g.</i>, '410 patent at Abstract, 1:18-29, 2:49-64, 5:4-6:52, claims of '642, '307, and '803 patents</p> <p><u>Extrinsic Evidence</u></p> <p>Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2011)</p> <p>Plaintiff's P.R. 3-1 Infringement Contentions and the materials referenced therein</p> <p>LAMAR0005981</p> <p>OAAA LED Lighting Guidance for Outdoor Advertising Owners and Operators</p> <p>Potential testimony of Ultravision's expert, Dr. Zane Coleman, and/or the inventors. Dr.</p>	<p>Indefinite</p> <p><u>Intrinsic Evidence</u></p> <p>'803 Patent and File History:</p> <p><i>See, e.g.</i>, Amendment (October 16, 2015); '803 patent at claims 1-18, 2:63-3:11, 5:18-35, 5:50-6:67.</p> <p>'642 Patent and File History:</p> <p><i>See, e.g.</i>, Amendment (October 23, 2015); '642 patent at Abstract, claims 2-4, 10, 12-14, 19, 2:63-3:11, 5:18-35, 5:50-6:67.</p> <p>'307 Patent:</p> <p><i>See, e.g.</i>, Application (January 11, 2016); '307 patent at claims 2, 3, 12, 14, 20, 21, 3:17-32, 5:41-58, 6:6-67.</p> <p>'410 Patent and File History:</p> <p><i>See, e.g.</i>, Amendment (June 5, 2014);</p>	

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DISPUTED TERM(S)	ULTRAVISION'S PROPOSED CONSTRUCTION AND SUPPORT³	DEFENDANTS' PROPOSED CONSTRUCTION AND SUPPORT	COURT'S CONSTRUCTION
	<p>Zane Coleman and/or the inventors may testify about their backgrounds, the background of the subject matter discussed in the patents-in-suit, and the skill level of one of ordinary skill in the art. They may also offer testimony in support of Ultravision's proposed claim constructions, and in response or in rebuttal to any arguments or expert testimony offered by Defendants.</p>	<p>'004 patent at Abstract, claims 4, 5, 10, 27, 2:49-64, 5:9-21, 5:36-6:52.</p> <p>US Patent No. 9,514,663:</p> <p><i>See, e.g.</i>, '663 Patent at title, Abstract, claims 1-28.</p> <p>US Patent Application No. 15/162,278 File History:</p> <p><i>See, e.g.</i>, Application (May 23, 2016); Preliminary Amendment (July 1, 2016).</p> <p>Cited References in the Asserted Patents:</p> <p><i>See, e.g.</i>, US Patent Application No. 2013/0,135,861; US Patent No. 7,618,162; US Patent Application No. 2005/0018428; US Patent Application No. 2011/0038151; William A. Parkyn, <i>Segmented Illumination Lenses for Steplighting and Wall-Washing</i>, SPIE Vol. 3779, (1999); US Patent No. 7,674,019 B2; US Patent No. 7,753,561; US Patent No. 8,210,723 B2; US Patent No. 8,922,734 B2; US Patent No. 9,046,293 B2; Hsiao-Wen Lee et al., <i>Improvement of Illumination Uniformity</i>, 20 Optics Express, No. S6, (2012); US Patent Application No. 2004/0004827</p>	

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DISPUTED TERM(S)	ULTRAVISION'S PROPOSED CONSTRUCTION AND SUPPORT ³	DEFENDANTS' PROPOSED CONSTRUCTION AND SUPPORT	COURT'S CONSTRUCTION
		<p>A1; Li Cheng et al., <i>The Research of LED Arrays for Uniform Illumination</i>, 4 Advances In Information Sciences and Services Sciences (AISS), No. 10 (2012); Allen Jong-Woei Whang et al., <i>Designing Uniform Illumination Systems by Surface-Tailoring Lens and Configurations of LED Arrays</i>, 5 Journal of Display Technology, No. 3 (2009); US Patent No. 8,210,723; US Patent No. 8,602,599; US Patent App. No. 2011/0149548 A1; US Patent App. No. 2013/0291414 A1; US Patent Application No. 2014/0168998; US Patent Application No. 2014/0373348; US Patent No. 8,215,814; US Patent No. 8,801,221.</p> <p><u>Extrinsic Evidence</u></p> <p>Ivan Moreno et al., <i>Effects on illumination uniformity due to dilution on arrays of LEDs</i>, SPIE vol. 5529 (2005).</p> <p>Potential testimony of Defendants' Experts, Dr. Julie Bentley and George Manyak. If asked to testify, Defendants' Experts would testify as to subject areas described above as they pertain to this claim term/phrase, including why one of ordinary skill in the art would not have</p>	

APPENDIX B

DISPUTED TERM(S)	ULTRAVISION'S PROPOSED CONSTRUCTION AND SUPPORT³	DEFENDANTS' PROPOSED CONSTRUCTION AND SUPPORT	COURT'S CONSTRUCTION
		understood the scope of this term with reasonable certainty.	
<p>"optical element ... comprises ... a first element ... a second element ... and a third element"⁵</p> <p>'803: claims 3, 12 '642: claims 16-17, 23-24</p> <p>"optical elements each including a first portion, a second portion and a third portion"</p> <p>'642: claims 1 '307: claims 1, 20</p> <p>"optical elements each include a first portion, a second portion and a third portion"</p>	<p>No construction necessary</p> <p>If Court deems construction necessary, only "optical element" in the identified phrases should be construed. Ultravision objects to the selective excising of terms from an overall quoted phrase. Despite multiple efforts to crystalize this issue, Ultravision still does not understand what claim language Defendants are asking the Court to construe because the phrases that they have identified contain ellipses making it unclear what claim language would be substituted with Defendants' proposed construction. It is confusing what precisely is being identified as needing construction in the context of the overall phrase.</p> <p>If Court deems construction necessary:</p> <p>"optical element" in '803:3, 12 and '642:16-17, 23-24 – "lens that comprises multiple elements"</p> <p>"optical element" in '642:1 and '307:1, 15,</p>	<p>"an assembly of lenses, distinct from a single reflecting prism"</p> <p><u>Intrinsic Evidence</u></p> <p>Claims of the '642, '803, and '307 patents</p> <p>'803 Patent and File History:</p> <p><i>See, e.g.</i>, '803 patent at Abstract, 3:29-32, 8:14-30, Figs. 5A-5D, 8A-8J (and associated text); Examiner's Non-Final Rejection (July 17, 2016); Applicant's Amendments and Remarks (Oct. 16, 2015).</p> <p>Cited References in the Asserted Patents:</p> <p>US 8,002,435 <u>Extrinsic Evidence</u></p> <p>Potential testimony of Defendants' Experts, Dr. Julie Bentley and George Manyak. If asked to testify, Defendants' Experts would testify as to subject areas</p>	

⁵ Defendants have directed Ultravision to authority indicating that the use of an ellipsis for identifying a claim term for construction is common and entirely appropriate. Ultravision has not articulated how Defendants' use of an ellipsis to identify particular claim terms is contrary to the common practice of district courts and the Federal Circuit.

APPENDIX B

DISPUTED TERM(S)	ULTRAVISION'S PROPOSED CONSTRUCTION AND SUPPORT ³	DEFENDANTS' PROPOSED CONSTRUCTION AND SUPPORT	COURT'S CONSTRUCTION
<p>'307: claim 15</p> <p>"each optical element including a first portion, a second portion and a third portion"</p> <p>'307: claim 25</p>	<p>20, 25 – "lens that includes multiple portions"</p> <p><u>Intrinsic Evidence</u></p> <p><i>See, e.g.</i>, '803 patent at Abstract, 2:4-6, 5:11-20, 5:40-62, 6:13-7:12, 8:1-30, Figs. 5A-5D, 8A-8J, claims of '410, '413, '642, '803, and '307 patents</p> <p><u>Extrinsic Evidence</u></p> <p>Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2011)</p> <p>Plaintiff's P.R. 3-1 Infringement Contentions and the materials referenced therein</p> <p>OAAA LED Lighting Guidance for Outdoor Advertising Owners and Operators</p> <p>US 8,002,435</p> <p>Warren J. Smith, <i>Modern Optical Engineering</i> (4th ed. 2008)</p> <p>Warren J. Smith, <i>Modern Lens Design</i> (2d 2005)</p> <p>Potential testimony of Ultravision's expert,</p>	<p>described above as they pertain to this claim term/phrase.</p> <p>Warren J. Smith, <i>Modern Optical Engineering</i> 128-29, 716 (4th ed. 2008)</p> <p>Warren J. Smith, <i>Modern Lens Design</i> 609 (2d 2005)</p>	

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DISPUTED TERM(S)	ULTRAVISION'S PROPOSED CONSTRUCTION AND SUPPORT ³	DEFENDANTS' PROPOSED CONSTRUCTION AND SUPPORT	COURT'S CONSTRUCTION
	Dr. Zane Coleman, and/or the inventors. Dr. Zane Coleman and/or the inventors may testify about their backgrounds, the background of the subject matter discussed in the patents-in-suit, and the skill level of one of ordinary skill in the art. They may also offer testimony in support of Ultravision's proposed claim constructions, and in response or in rebuttal to any arguments or expert testimony offered by Defendants.		
<p>“means for directing light”</p> <p>'803: 1</p>	<p>No construction necessary; this term is not governed by 35 U.S.C. § 112(6)</p> <p><u>Intrinsic Evidence</u></p> <p><i>See, e.g.</i>, '803 patent at Abstract, 4:57-5:20, 8:14-30, Figs. 5A-5D, 8A-8J, claims 1-18</p> <p><u>Extrinsic Evidence</u></p> <p>Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2011)</p> <p>Plaintiff's P.R. 3-1 Infringement Contentions and the materials referenced therein</p> <p>OAAA LED Lighting Guidance for Outdoor Advertising Owners and Operators</p>	<p><u>35 U.S.C. § 112(6) function:</u></p> <p>directing light</p> <p><u>35 U.S.C. § 112(6) structure:</u></p> <p>optical element, as shown in Figs. 8A-8J and described in col. 8, ll. 14-30.</p> <p><u>Intrinsic Evidence</u></p> <p>'803 Patent and File History:</p> <p><i>See, e.g.</i>, '803 patent at Abstract, 3:29-32, 8:14-30, Figs. 8A-8J (and associated text), claims 1, 3-4, 12, 16; Examiner's Non-Final Rejection (July 17, 2016); Applicant's Amendments and Remarks</p>	

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DISPUTED TERM(S)	ULTRAVISION'S PROPOSED CONSTRUCTION AND SUPPORT³	DEFENDANTS' PROPOSED CONSTRUCTION AND SUPPORT	COURT'S CONSTRUCTION
	<p>Potential testimony of Ultravision's expert, Dr. Zane Coleman, and/or the inventors. Dr. Zane Coleman and/or the inventors may testify about their backgrounds, the background of the subject matter discussed in the patents-in-suit, and the skill level of one of ordinary skill in the art. They may also offer testimony in support of Ultravision's proposed claim constructions, and in response or in rebuttal to any arguments or expert testimony offered by Defendants.</p>	<p>(Oct. 16, 2015); Applicant Initiated Interview Summary (Nov. 9, 2015); Office Action Appendix (Nov. 9, 2015).</p> <p><u>Extrinsic Evidence</u></p> <p>Potential testimony of Defendants' Experts, Dr. Julie Bentley and George Manyak. If asked to testify, Defendants' Experts would testify as to subject areas described above as they pertain to this claim term/phrase, including the structure(s) disclosed in the relevant patent-in-suit for performing the relevant claimed function(s).</p>	